

U.S. Patent Application Serial No. 09/963,709
Amendment filed June 21, 2005
Reply to OA dated March 10, 2005

REMARKS:

Claims 1-12 are currently being examined, none of which have been amended. No new claims have been added, and no new matter has been introduced.

The Examiner has indicated that claim 5 sets forth allowable subject matter.

Claims 1-4 and 6-9 stand rejected under 35 USC 103(a) as obvious over USP 6,661,974 (Akiyama '974) in view of FIG. 2 disclosed by Applicant.

Claims 10-12 stand rejected under 35 USC 103(a) as being obvious over Akiyama '974 in view of FIG. 2 disclosed by Applicant and further in view of USP 6,587,242 (Shake '242).

Applicant respectfully traverses the above rejections.

Effective November 29, 1999, subject matter which was prior art under former 35 USC 103 via 35 USC 102(e) is now disqualified as prior art against the claimed invention if that subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

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STATEMENT ESTABLISHING COMMON OWNERSHIP:

U.S. Application Serial No. 09/963,709 and U.S. Patent No. 6,661,974 (**Akiyama '974**) were, at the time the invention of U.S. Application Serial No. 09/963,709 was made, owned by Fujitsu Limited.

In view of the above, Applicant respectfully submits that **Akiyama '974** is disqualified as prior art against the claimed inventions.

Thus, Applicant respectfully submits that the above rejections should be withdrawn.

In view of the aforementioned remarks, all claims currently being examined are in condition for allowance, which action, at an early date, is requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicant's undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

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In the event that this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,
ARMSTRONG, KRATZ, QUINTOS,
HANSON & BROOKS, LLP



Darren R. Crew
Attorney for Applicant
Reg. No. 37,806

DRC/lrf

Atty. Docket No. **011272**
Suite 1000
1725 K Street, N.W.
Washington, D.C. 20006
(202) 659-2930



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PATENT TRADEMARK OFFICE

Enclosure: Petition for Extension of Time